

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,

Plaintiff,

VS.

WALMART STORES, INC.,  
WALMART.COM,  
ALIEXPRESS,  
MICHAELS STORES, INC.,  
MSPCI,  
WEGMANS FOOD MARKETS, INC.,  
AMAZON.COM, INC.,  
DIAMOND VISION INC.,  
CURRENT MEDIA GROUP INC.,  
USIMPRINTS,  
STAPLES PROMOTIONAL PRODUCTS,  
RAKUTEN AMERICAS,  
PRICE US WHOLESALE,  
BONANZA.COM, INC.,  
WHOLESALE IN MOTION GROUP, INC.,  
ANYPROMO INC.,  
DHGATE;  
and DOES 1 THROUGH 50

Defendants.

Case No. 3:22-cv-1768

JUDGE MALACHY E MANNION

JURY TRIAL DEMANDED

**FILED  
SCRANTON**

SEP 10 2024

PER DJ  
DEPUTY CLERK

**MOTION FOR RECONSIDERATION OF COURT'S ORDER OF  
REASSIGNMENT**

Plaintiff, David J. Catanzaro, pro se, hereby respectfully requests that the Court reconsider its verbal order dated August 28, 2024, which reassigned the above-captioned case to the Honorable Judge Joseph F. Saporito, and maintain the current judicial assignment. This motion is supported by the following reasons and pursuant to Federal Rule of Civil Procedure 60(b) and relevant local court rules concerning judicial assignments and case management.

**In support of this motion, the Plaintiff avers the following:**

1. **Lack of Solicitation for Reassignment:** The Plaintiff neither requested nor consented to the reassignment of this case, consistent with Federal Rule of Civil Procedure 60(b)(6), which allows for relief from a court order for any other reason that justifies relief.
2. **Advanced Stage of Litigation:** The procedural posture of this case, where the remaining five defendants are in default, significantly distinguishes it from Case No. 3:22-cv-01754. Federal courts generally consider the stage of proceedings in determining whether to reassign a case, to avoid prejudice against any party.
3. **Judicial Efficiency and Consistency:** Maintaining the original assignment promotes judicial efficiency and consistency in adjudication, especially given the near conclusion of the case with default judgments pending, aligning with the principles underpinning the Local Rules for the Assignment of Cases.
4. **No Documented Need or Justification for Reassignment:** There has been no documentation or articulated reason for the reassignment provided to the Plaintiff, which is necessary for ensuring transparency and fairness in judicial proceedings.

**WHEREFORE**, the Plaintiff respectfully requests that this Honorable Court reconsider its order of reassignment and retain the current judge assigned to Case No. 3:22-cv-01768.

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read 'David J. Catanzaro', is written over a horizontal line.

**David J. Catanzaro**  
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